

III. REMARKS

1. Claims 1-13, 15, 17-28, 30, and 32-41 remain in the application. Claims 14, 16, 29, and 31 have been cancelled without prejudice. Claims 1-10, 12, 13, 17, 18, 26, 28, 32-35, 40, and 41 have been amended.

2. Applicants respectfully submit that claims 1-13, 15, 17-28, 30, and 32-41 are patentable over the combination of Mathews et al. (US 2004/0216054, "Mathews") and Drury et al. (US 2004/0104842, "Drury") under 35 USC 103(a).

2.1 The combination of Mathews and Drury fails to disclose or suggest:

associating a first location of an apparatus with a first plurality of operating characteristics, a first modified menu structure, and first contact information;

adopting the first plurality of operating characteristics, the first modified menu structure, and first contact information in the apparatus when the apparatus is located at the first location; and

controlling the operation of the apparatus at least partially in accordance with the adopted first operating characteristics, the first modified menu structure, and first contact information.

as substantially recited by claims 1, 13, 32, and 33.

Neither Mathews nor Drury disclose or suggest associating a first location of an apparatus with a first plurality of operating characteristics, a first modified menu structure, and first contact information, and adopting the first plurality of operating characteristics, the first modified menu structure, and first contact information in the apparatus when the apparatus is located at the first location.

The Examiner properly points out that Mathews fails to disclose associating a first location of an apparatus with a modified menu structure and adopting the modified menu structure when the apparatus is located at the first location.

Applicants submit that Mathews also fails to disclose associating a first location of an apparatus with a first modified menu structure and first contact information, and adopting the first modified menu structure and first contact information when the apparatus is located at the first location. There is no mention of either a modified menu structure or contact information in Mathews.

Drury also fails to disclose or suggest these features. Drury describes an information system that provides traffic and navigation services for the driver of an automobile. The Examiner states that “the system can be configured and stored modified menus along with the position data in downloaded new or changed functionality for a purpose of graphically interfacing with an operator (see paragraph [0335]).”

Paragraph [0335], cited by the Examiner, states:

[0335] The system also includes the provision to update the software in addition to the data for the in-vehicle system. For instance, the user interface for existing functionality can be changed by downloading new code. Also, entirely new functionality can be downloaded. This new or changed functionality can include modified menus and graphics that are used to interface with the operator.

Applicants respectfully submit that Drury does not disclose or suggest that “the system can be configured and stored modified menus along with the position data.” Drury’s in-vehicle system includes provisions for updating system software and data. The functionality of the user interface may be modified and entirely new functionality may be obtained by downloading new code. Paragraphs [0337]-[0340] state that the system may updated by replacing a static storage device, updating over a high speed link, or updating over a cellular data link. However, downloading new code that changes a user interface is not the same as associating a first location of an apparatus with a first modified menu structure and first contact information, as recited by the present claims.

Drury has no disclosure related to such an association between a location, a modified menu structure, and contact information.

Drury also fails to disclose or suggest adopting the first plurality of operating characteristics, the first modified menu structure, and the first contact information in the apparatus when the apparatus is located at the first location. Applicants fail to find any disclosure in Drury related to adopting a modified menu structure and contact information based on location.

Furthermore, neither reference discloses controlling the operation of the apparatus at least partially in accordance with the adopted first operating characteristics, the first modified menu structure, and first contact information. Specifically, neither reference discloses controlling the operation of the apparatus at least partially in accordance with the adopted first modified menu structure and first contact information. For the reasons argued above, neither reference discloses or suggests adopting the first modified menu structure, and the first contact information in the apparatus when the apparatus is located at the first location. Because neither reference adopts the modified menu structure and contact information, neither reference can control the operation of an apparatus at least partially in accordance with the adopted features. Furthermore, neither reference discloses controlling an apparatus according to a modified menu structure and contact information adopted when the apparatus is located at a location.

Because neither reference discloses or suggests all the features of claims 1 and 13, the combination of Mathews and Drury fails to render independent claims 1 and 13 and dependent claims 2-12, 15, and 34-41 unpatentable.

2.2 The combination of Mathews and Drury fails to disclose or suggest:

providing a first theme defining a first modified menu structure and first contact information, and how an electronic device is controlled by a user to select an option when the first theme is adopted by the electronic device;

providing a second theme that defines a second modified menu structure and second contact information, and how an electronic device is controlled by the user to select an option when the second theme is adopted by the electronic device; and

selecting the first theme or the second theme for adoption by the electronic device.

as substantially recited by claims 17 and 28.

Neither reference discloses or suggests providing first and second themes defining first and second modified menu structures and first and second contact information, respectively and further defining how an electronic device is controlled by a user to select an option when the first or second theme is adopted by the electronic device.

As properly pointed out by the Examiner, Mathews fails to clearly teach associating a location with a modified menu structure for an apparatus, and adopting the modified menu structure in the apparatus when the apparatus is at the location. Applicants submit that Mathews also fails to disclose providing a first theme defining a first modified menu structure and first contact information, and how an electronic device is controlled by a user to select an option when the first theme is adopted by the electronic device and providing a second theme that defines a second modified menu structure and second contact information, and how an electronic device is controlled by the user to select an option when the second theme is adopted by the electronic device.

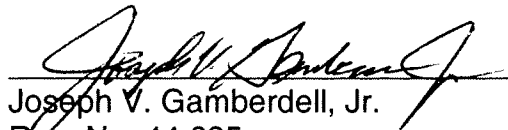
Mathews has no themes that define first and second modified menu structures and first and second contact information. Drury also fails to disclose or suggest themes as defined by claims 17 and 28. As argued above, Drury may download code to modify the functionality of a user interface, but that is clearly different from having two themes defining first and second modified menu structures and first and second contact information, respectively, and further defining how an electronic device is controlled by a user to select an option when the first or second theme is adopted by the electronic device.

Because neither reference discloses or suggests all the features of claims 17 and 28, the combination of Mathews and Drury fails to render independent claims 17 and 38 and dependent claims 18-27 and 30 unpatentable.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


Joseph V. Gamberdell, Jr.
Reg. No. 44,695

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Date

Perman & Green, LLP
425 Post Road
Fairfield, CT 06824
(203) 259-1800
Customer No.: 2512